

REMARKS

This responds to the Office Action mailed on May 5, 2006, and the references cited therewith.

Claims 63-64 are canceled; as a result, claims 60-62 and 65-68 are now pending in this application.

Interview Summary

Applicants thank Examiner Son P. Huynh for the courtesy of a telephone interview on August 8, 2006 with Applicant's representative Mark R. Vatuone.

Mark Vatuone informed Examiner Huynh that the Filing Receipt dated April 12, 1999 did not include amendments as requested by the Preliminary Amendment filed, with the present application, on December 9, 1998. Specifically, the Preliminary Amendment, among other things, requested that, prior to examination, the inventors Paolo L. Siccardo and Gilbert Levesque be deleted (Preliminary Amendment, page 1) from the application and that the status of the present application be amended to "a continuation application of Serial Number 08/568,605 entitled "Video Pedestal Network" (Preliminary Amendment, page 4). Mark Vatuone requested Examiner Huynh to identify a preferred procedure for amending the above mentioned Filing Receipt and Examiner Huynh responded that a request for amendment may be made in the remarks section of the response to the Office Action mailed May 5, 2006.

Request to Amend Filing Receipt Dated April 12, 1999

Applicants request that the filing receipt dated April 12, 1999 be amended based on the request for amendments submitted in a Preliminary Amendment filed, with the present application, on December 9, 1998. Specifically, Applicants request entry of the following amendments: 1) please delete Paolo L. Siccardo and Gilbert Levesque as inventors; 2) please update the status of the application to "a continuation application of Serial Number 08/568,605 entitled "Video Pedestal Network," filed December 5, 1995.

Double Patenting Rejection

Claims 60-62 and 65-68 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 15 and 16 of Rao et al. (U.S. 5,940,738), in view of Herz et al. (U.S. 5,351,075). A terminal disclaimer is enclosed herewith to obviate the double patenting rejection.

Documents Cited but Not Relied upon for this Office Action
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Applicants need not respond to the assertion of pertinence stated for the references cited but not relied upon by the Office Action since these references are not made part of the rejections in this Office Action. Applicants are expressly not admitting to this assertion and reserve the right to address the assertion should it form part of future rejections.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408 846-8871 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

PADMANABHA RAO ET AL.

By their Representatives,

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Date 8.22.2006

By Mark R. Vatuone
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of August, 2006.

Dawn R. Shaw

Dawn R. Shaw

Name

Signature